

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

WILLIAM E. LYONS,

Plaintiff,

- v -

Civ. No. 1:10-CV-215
(TJM/RFT)

JOHN DOE, *et al.*,

Defendants.

THOMAS J. McAVOY,
Senior United States District Judge

DECISION & ORDER

By Decision and Order dated March 15, 2011, Plaintiff was

ORDERED to submit a status report to Magistrate Judge Treenec within thirty (30) days of the date of [the March 15, 2011] Decision and Order. The status report will inform the Court as to the steps PLAINTIFF has taken to identify the "John Doe" defendants. Failure to comply with this Order may result in the dismissal of the action for failure to prosecute.

March 15, 2011 Dec. & Ord., dkt. # 18 (emphasis in original).

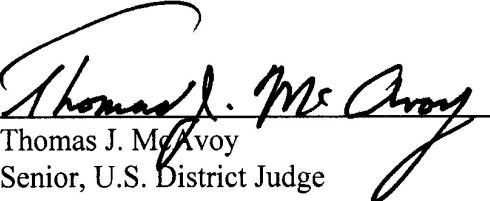
Plaintiff failed to obey this order. Furthermore, on June 6, 2011 the Court placed this matter on the Court's dismissal calendar and mailed notice to Plaintiff at the address he last provided to the Court. Dkt. # 19. That notice was returned as "undeliverable" with an indication from the United States Postal Service of a forwarding address in Sacramento, California. Dkt. # 20. The Court Clerk's Office sent the dismissal motion notice to the Sacramento address, and this was returned as "undeliverable" with no forwarding information. Dkt. # 21.

There is no indication that Plaintiff did not receive the March 15, 2011 Decision and Order. Based on Plaintiff's failure to comply the March 15, 2011 Decision and Order, and based on his failure to apprise the Court of a proper mailing address for the delivery of court documents and orders (as required of all litigants), it is hereby

ORDERED that the Court's motion [dkt. # 19] is **GRANTED** and the instant action is **DISMISSED without prejudice for failure to prosecute.**

IT IS SO ORDERED

DATED: July 8, 2011



Thomas J. McAvoy
Senior, U.S. District Judge